

**CITY COUNCIL MEETING OF
October 4, 2006**

VERBATIM TRANSCRIPT – ITEM 46

**DISCUSSION AND POSSIBLE ACTION REGARDING TEMPORARY APPROVAL OF
A NEW TAVERN LICENSE, NEVADA RECEIVERSHIP, LLC, dba CRAZY HORSE
TOO, 2476 INDUSTRIAL ROAD, MICHAEL J. SIGNORELLI, MANAGING MMBR,
100% - WARD 3 (REESE)**

Appearance List:

GARY REESE, Mayor Pro Tem
BRAD JERBIC, City Attorney
STEPHEN CARUSO, Attorney for Michael Signorelli
MICHAEL SIGNORELLI, 308 West Sahara Avenue
LARRY BROWN, Councilman
BARBARA JO RONEMUS, City Clerk
JIM DIFIORE, Manager of Business and License Services
LOIS TARKANIAN, Councilwoman
UNIDENTIFIED MALE SPEAKER

(00:00:00)

Typed by: Lean Coleman

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21 **MAYOR PRO TEM REESE**

22 Item 46 is discussion and possible action regarding temporary approval of a new tavern license,
23 Nevada Receivership, LLC, doing business as Crazy Horse Too, 2476 Industrial Road, Michael
24 J. Signorelli, Managing Member, 100%. This is in Ward 3. I see the applicant and his attorney
25 are present. Mr. Jerbic, please.

26

27 **BRAD JERBIC**

28 Thank you, I guess one of us has to go first, so I'll be happy to, Mr. Mayor Pro Tem and members
29 of Council. The, before you today, is a request for a temporary liquor license for a new operator
30 for what was the Crazy Horse Too. Before we begin, I would like to just make a little bit of a
31 record as what got us here today and what review my office has performed, so that we can kind
32 of make a record and put everything out for the public. The first thing I'd like to do is file with
33 the Clerk a copy of a lease dated September first, two thousand and five between Ricriz, LLC and
34 the Power Company, Inc. This is the lease that reflects a lease of property from Mr. Rizzolo, who
35 owns Ricriz to the Power Company, Inc., and it's the first document that establishes who owns
36 the building and who has control over the building.

37 Since that time, our office has received four operating subleases; the last one was delivered this
38 morning. And I've been working with Mr. Caruso, to my right, and if I make any mistakes or
39 anything needs to be added, I'm sure he'll –

40

41 **MAYOR PRO TEM REESE**

42 I would – them, introduce themselves, please, Mr. Caruso.

43

44 **STEVE CARUSO**

45 Thank you – Mayor Pro Tem, good morning, and good morning to Council and their guests. I'm
46 Steve Caruso, the attorney for Mr. Signorelli and this is Michael Signorelli.

47

48 **MICHAEL SIGNORELLI**

49 Michael Signorelli, 308 West Sahara.

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50 **MAYOR PRO TEM REESE**

51 Thank you.

52

53 **BRAD JERBIC**

54 It's a little unusual for you to see the City Attorney's office down here on a – license. Usually,
55 you'll see us on a revocation of a license, presenting the case. Because there were a number of
56 legal documents here and a number of legal questions to be answered, we got involved in
57 reviewing leases to make sure they comported of City policies and ultimately will result in an
58 (inaudible) transaction, which would separate the previous owner and any other persons who pled
59 guilty in the federal cases from the operation of the Crazy Horse Too.

60 The first operating sublease that was presented to my office, I'm gonna present to the Clerk, had a
61 number of problems and, specifically, allowed the previous owner access to the premise, allowed
62 him to maintain an office on the premise and actually prohibited Mr. Signorelli from terminating
63 anybody who had an employment contract with the previous owner, without the previous owner's
64 permission. For obvious reasons, we didn't feel that distance, the previous owner from operation
65 of the premises enough, and we've communicated that to Business Services, which
66 communicated – it to Mr. Caruso. But I'd like to file that, as named number one, that's the first
67 operating sublease that would transfer the business to Mr. Caruso.

68 I would also mention that the operating subleases reference a purchase and sale agreement, which
69 was not attached to the first operating sublease. And I'll get to that in just a moment.

70

71 **COUNCILMAN BROWN**

72 Mayor Pro Tem?

73

74 **MAYOR PRO TEM REESE**

75 Yes.

76

77 **COUNCILMAN BROWN**

78 Excuse me –

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79 **MAYOR PRO TEM REESE**

80 Councilman Brown.

81

82 **COUNCILMAN BROWN**

83 – Mr. Jerbic. Could you just place them, as we enter these into the record, place and dates on
84 when you received that first one.

85

86 **BRAD JERBIC**

87 The first one was negotiated and signed September 19th of this year, delivered to Business
88 Services by way of the – fax notation at the top on September 20th and given to my office Friday
89 of last week. That's when I first received that.

90

91 **COUNCILMAN BROWN**

92 Thank you.

93

94 **MAYOR PRO TEM REESE**

95 Roni, you have any problem with that?

96

97 **BARBARA JO RONEBUS**

98 No.

99

100 **MAYOR PRO TEM REESE**

101 Okay.

102

103 **BARBARA JO RONEBUS**

104 (Inaudible) I want to be sure we were on the right document.

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105 **BRAD JERBIC**

106 Number two was an agreement Mr. Caruso worked very diligently, sent this over on Monday,
107 two days ago, and it is the second version of the operating sublease, which attempted to address
108 the problems that were identified to Business Services as not appropriately separating the
109 previous owner from the business. Specifically, we were looking at paragraph number 35, in the
110 second agreement that talked about the operation of the business, and we felt that it still
111 represented a problem. It had a provision that required that the tenant, that would be Mr.
112 Signorelli, would assume all contracts of the landlord with respect to all third party contractors
113 and employees.

114 Stopping there for a minute, third party contracts with contractors is one thing; that could be
115 liquor distributors, that could be maintenance service, that could be things of that nature, but
116 employees was quite a different thing, and leaving it open-ended left the ability for employees
117 who pled guilty to the federal charges to continue to be employed at the establishment. And it
118 also went on to say that the landlord, through his designated repre, representatives, shall have
119 unlimited access to the premise, which we felt was inappropriate and communicated that to Mr.
120 Caruso. I'd like to file number two with the clerk at this time, as well.

121 Number three is the operating sublease that was delivered to our office yesterday, and it had
122 attached to it the purchase and sale agreement that was referenced in the operating sublease
123 number two. It came a long way in addressing most of the problems that we had, but there were
124 still specific problems in paragraph 24, excuse me paragraph 23, which allowed the tenant,
125 permitted the landlord and the owner to inspect the premise and enter the premise at any time.
126 Again, we were looking for a sublease which completely prohibited access to the premises by the
127 previous owner and any of the individuals that pled guilty to the felony charges. Looking at
128 paragraph 35, there were substantial corrections there, but we felt that it still left room for the
129 original owner, and perhaps some other co-defendants who pled guilty, to enter the premise. It
130 didn't, for example, reference all the federal case numbers and still had language in that we just
131 felt needed tightening, and so we brought that to Mr. Caruso's attention.

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132 And then finally, in the sublease, it referenced the mailing address for the Power Company, Inc.
133 as the Crazy Horse address, which seemed inappropriate since the previous owner should not
134 have access to the premises anymore at the end of this deal.

135 The purchase and sale agreement, itself, also had an issue in paragraph 4.03 on page 4, which
136 provided that the seller at its own cost and expense shall operate the property in substantially the
137 same manner as it has operated the property before the effective date. Well, again, the seller's not
138 operating anything here, and so we brought that to Mr. Caruso's attention and asked that that also
139 be changed. This morning, between 8:15 and 8:30, oh actually, let me – file that with the clerk as
140 well, that's number three.

141 Number four was the operating sublease that we received this morning. After talking with Mr.
142 Caruso yesterday, they agreed to make the changes to the agreement that would satisfy our duty
143 to protect the public from individuals that ran the business before that were, that have pled guilty
144 to federal felonies. We ask that changes be made to paragraphs previously identified. I have not
145 had an opportunity at this point and time to read this page by page. I have read the relevant
146 paragraphs that I asked Mr. Caruso to change, and Mr. Caruso has made the exact changes that
147 we suggested, that will satisfy the City's concern that there not be any contact between
148 individuals –

149

150 **MAYOR PRO TEM REESE**

151 At this time, Mr. Jerbic, I got to ask you a question, then. You just received this. Do you feel
152 comfortable, at this time, to make a recommendation to the – City Council?

153

154 **BRAD JERBIC**

155 Right. I cannot tell you that I have read every line in this agreement, and that's, that was gonna be
156 my next sentence, and I talked to Mr. Caruso about that earlier. What I can tell you is, of the
157 three paragraphs that we asked be changed, they were changed.

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158 **STEVE CARUSO**

159 And if I may make a representation to the Council, as an officer of the court, the – agreement is
160 word of a word –

161

162 **MAYOR PRO TEM REESE**

163 Please identify yourself, please.

164

165 **STEVE CARUSO**

166 I'm sorry, Steve Caruso, Your Honor, the attorney for Michael Signorelli. The changes have been
167 implemented as requested by the City and nothing else has been changed. So, as an officer of the
168 court, I'd like to make that representation to the Council

169

170 **MAYOR PRO TEM REESE**

171 I can certainly appreciate that, Mr. Caruso, but again, this is not a five-page document that I have
172 here in front of me.

173

174 **STEVE CARUSO**

175 True, Your Honor, but the changes that – were made –

176

177 **MAYOR PRO TEM REESE**

178 I understand Sir, I understand. I – just, I have my own satisfaction level also, and I –can certainly
179 appreciate what you're saying.

180

181 **BRAD JERBIC**

182 The only thing I would point out, and I'm gonna file this with the clerk as well, and I'm sure Mr.
183 Caruso has no problem with it, and it's probably 'cause they just didn't have them, but the federal
184 cases are not listed at all; there's blank spaces for those. I'm sure Mr. Caruso has no objection to
185 including the correct case numbers in there when the, at the appropriate time before the lease is
186 signed.

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187 **STEVE CARUSO**

188 We did that in the interest of time, Council.

189

190 **BRAD JERBIC**

191 That's what I assumed, but I wanted to make that as well, and I'll file number four with the Clerk.

192 That is the history of the lease and sublease and the purchase and sale agreement, which brings us

193 before the Council today. At the same time, there had been a number of issues that have come up.

194 I spoke with the Mayor Pro Tem before this meeting, he asked me to clarify and maybe make a
195 record on, so that we don't have to go back on this later and explain it.

196 I was hand delivered a letter by Mr. Chris Christoff in my office last week. It's dated September

197 28th, 2006. It's a letter of protest of the issuance of a temporary liquor license, and it purports to

198 be signed by Reverend William Ahern, pastor of the Little Church of Las Vegas, that he claims is

199 located on 2476 Industrial Road, within 1500 feet of the Crazy Horse Too establishment. I have

200 no way of knowing that; I'm just gonna assume it's true. I'm gonna assume that it is a church, and

201 I'm gonna assume that -- it is there. We've (inaudible), to master researchers as to whether or not

202 that is prohibitive in any way of a, issuance of a liquor license, temporary or permanent, for this

203 location.

204 The Las Vegas Municipal Code addresses non-conforming uses in Chapter 19.16, and

205 specifically talks about non-conforming buildings and non-conforming uses. To our knowledge,

206 and Mr. DiFiore can correct me, I believe the Crazy Horse Too's liquor license, prior to

207 revocation, goes back about 22 years and may go back further than that, but at least that far. And

208 at that point and time, the City of Las Vegas did not issue use permits. So, we have a non-

209 conforming building, non-conforming use and no use permit at that time.

210 As you know, today, when you issue a liquor license, an individual needs to get a land use

211 permission from our Land Use Department that says it's appropriate and you give a use permit.

212 Then you do a suitability check on the individual who wants the applica, who files the

213 application and then if they meet suitability, you issue it, but you need two things. In the absence

214 of a use permit, our Code talks about how long you have to take advantage of a non-conforming

215 use if a use ceases. And it turns out it's no different than if you have a use permit. Today, if the

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216 Crazy Horse Too had a land use permit to pour liquor or was just grandfathered because they had
217 been there for so long, they would have six months, from the time of revocation to, before that
218 use would be extinguished at the site.

219 So, six months, in our opinion, from the time this Council pushed the button to revoke the liquor
220 license for Power Company, Inc. and – from that point, the six month clock began to toll, and if
221 liquor does not pour under a license during that time, it will cease forever at that location.
222 However, this application has come in within the six month window and can be considered. The
223 fact that there is a church there is just one more reason this building is a non-conforming use.
224 But it's one of a number of reasons that pre-existed the existence of a church. So, I want to state
225 on the record, that after research by our office, and I understand we have had an opinion also
226 from Planning, this liquor license could be issued if you find the applicant suitable. The church is
227 not a prohibition. So I wanted to get that on the record, file that letter with the clerk and – to
228 make that clear.

229

230 **MAYOR PRO TEM REESE**

231 Thank you, City Attorney Jerbic.

232

233 **BRAD JERBIC**

234 And finally –

235

236 **MAYOR PRO TEM REESE**

237 Any questions on that subject from the Council members? I want it to be quite clear. Continue,
238 Brad.

239

240 **BRAD JERBIC**

241 The final thing that I wanted to put on the record is that, as everybody's aware there is a federal
242 plea agreement between Mr. Rizzolo and other individuals that pled guilty to the federal charges
243 that I believe requires federal approval of any sale of the club. Now, I have got a call in to Eric
244 Johnson. He's the special assistant, United States attorney, who works with the Strike force who

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245 handled these negotiations at the federal level. As you probably read in the paper, he is currently
246 trying the Hell's Angels motorcycle case that occurred down in Laughlin years ago, and he's
247 pretty tied up. But I left a phone message for him yesterday notifying him that for the first time I
248 have the purchase and sale agreement and I had a few questions. One is, did they want to review
249 it and give us their opinion prior to the Council voting? And two, do they consider the lease itself
250 something that they need to opine on? And I don't know the answers to either of those because
251 I've not received a phone call back. But with that record made, I'll be glad to answer any
252 questions this Council has.

253

254 **MAYOR PRO TEM REESE**

255 Are there any questions from the Council members at this time? Mr. Caruso, I met with you and
256 Mr. Signorelli. I really appreciate that. Mr. DiFiore, do you have anything you'd like to put on the
257 record at this time?

258

259 **JIM DIFIORE**

260 Just the fact that the temporary license, according to the Business License Code, is considered for
261 two situations; one, that the director has determined that preliminarily suitable, the applicant – is
262 preliminary suitable to go forward with the application. And secondly, the appropriateness of the
263 business at the location. Mr. Signorelli does meet the criteria for consideration for a temporary
264 license, and the location, as we all know, has been an existing establishment for many years. So,
265 those are the two criteria that we have considered.

266

267 **MAYOR PRO TEM REESE**

268 Thank you. Mr. Caruso, Mr. Signorelli, I haven't had a chance to go over this. I did meet with
269 you; I was quite impressed. I understand some of the other Council members haven't had the
270 opportunity to – visit with you. When Mr. Jerbic informed me about the telephone conversation,
271 the call to the feds, and he hasn't returned the call back, I don't feel comfortable, myself, going
272 forward with this at this time. I – just want to – make sure that my staff can give me a clear
273 recommendation on this contract. I think it's very important to the City of Las Vegas that we do

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274 this – explicitly. I – think it's important, not only for yourselves but for us, to make sure that we –
275 go through this with a microscope, and I feel that, I don't – feel comfortable at this time taking
276 any action. I don't feel that without knowing what the feds say, yes one way or the other, I don't
277 feel comfortable going forward at this time. So, if you have anything you'd like to say at this
278 time, I would – sure accept that, but I feel at this time, I want to make a recommendation to hold
279 this in abeyance until our next meeting, October the 18th.

280

281 **COUNCILMAN BROWN**

282 Mayor Pro Tem.

283

284 **MAYOR PRO TEM REESE**

285 Yes.

286

287 **COUNCILMAN BROWN**

288 If I may, likewise, I had the opportunity to meet with Mr. Caruso and Mr. Signorelli, and very –
289 impressed with your app, your application, your background. I enjoyed our meeting. You were
290 upfront with all your answers and also very detailed in – some of our conversation, which I
291 greatly appreciate. Echoing what Mayor Pro Tem said, my only concern, and it is not anything
292 against you and your application, but the timing of all this has happened so quickly. Literally 10
293 or 11 days and probably even smaller between schedules, and that is something that just raises
294 the level of discomfort to a point where I will support the motion. And even, and I know it's a
295 coincidence, but even to the point where at least my documentation on our public agenda here,
296 which is what we look at –

297

298 **MAYOR PRO TEM REESE**

299 Thank you.

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300 **COUNCILMAN BROWN**

301 – the backup refers to a temporary psychic art and science business license, and I don't think –
302 those are your plans for this establishment. So –

303

304 **STEVE CARUSO**

305 I'm not – aware of anything like that in –

306

307 **COUNCILMAN BROWN**

308 It isn't, and I put that on the record –

309

310 **STEVE CARUSO**

311 Oh.

312

313 **COUNCILMAN BROWN**

314 – not only that we have to fix our backup but also just, it may be a little signal that we need to
315 take a step back, a deep breath and just connect all the dots that have been raised. Just to, at least
316 from my perspective, to give us a little more comfort level with all the issues surrounding your
317 application, with absolute support of our meeting and what your – client has brought to the City.

318

319 **MAYOR PRO TEM REESE**

320 Brad, could you – explain that to us please.

321

322 **BRAD JERBIC**

323 And I – did, I – contacted Mr. DiFiore on Friday and I noticed, we all noticed together that the
324 error in the backup documentation. I even saw something written that speculated that it wasn't an
325 error, that it really was a psychic arts license for somebody who really applied for one. It's not; it
326 was just an absolute error. There were two, you know, things spliced together that shouldn't have
327 been. It was corrected; I think new backup was filed prior to the meeting. There's no psychic arts

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328 license involved, just one more confusing fact to add to the puzzle here, but that – should be easy
329 to dispel.

330

331 **MAYOR PRO TEM REESE**

332 Thank you.

333

334 **STEVE CARUSO**

335 If I may Councilman –

336

337 **MAYOR PRO TEM REESE**

338 Yes.

339

340 **STEVE CARUSO**

341 Councilman, we're very saddened to hear about this. I gotta tell you, Mike Signorelli came here
342 in 19, around 1969, after graduating from the University of Rhode Island, with honors, joined the
343 Air Force, came to Nellis Air Force Base, and before he left the Air Force, decided to make Las
344 Vegas his home. He's very, his, the distinction with which he's developed personally and
345 professionally here is – very impressive, at least to me. Not only did he get his Masters here with
346 a fellowship, but the Doctorate that my client earned was the very first Doctorate that was
347 awarded in a Nevada accredited school. He's worked for Howard Hughes. He worked for Sean
348 Holmes; in 1998, he had an unrestricted gaming license, Chairman-CFO of the Mesquite Star
349 Casino, (inaudible) Gaming.

350 I've examined this plea agreement, and I'll – represent to you, as an officer of the court, that what
351 this – portion of the plea agreement is to show that there are no mob ties to anyone buying the
352 property. That's the sole purpose of that plea agreement. And I'm sure Mr. Jerbic will agree with
353 me, La Cosa Nostra, LCN is – mentioned specifically; that's what they're worried about here.

354

355 **MAYOR PRO TEM REESE**

356 Mr. Caruso?

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357 **STEVE CARUSO**

358 Yes.

359

360 **MAYOR PRO TEM REESE**

361 Just for your information, he's not on trial here.

362

363 **STEVE CARUSO**

364 I know –

365

366 **MAYOR PRO TEM REESE**

367 We – certainly appreciate that. We – as a City, okay, we have to feel comfortable on every
368 decision we make here, and I don't feel comfortable today. Now if you want to go forward, that's
369 your prerogative. But I just – feel a lot safer for myself, as well for your – applicant, to hold this
370 in abeyance.

371

372 **COUNCILWOMAN TARKANIAN**

373 Mr. Mayor?

374

375 **MAYOR PRO TEM REESE**

376 Yes.

377

378 **COUNCILWOMAN TARKANIAN**

379 Pro Tem, please, Pro Tem, I might – make a comment, please.

380

381 **MAYOR PRO TEM REESE**

382 Certainly.

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383 **COUNCILWOMAN TARKANIAN**

384 I – was just gonna echo what you said. I don't think there's anybody questioning Mr. Signorelli at
385 all, but the problem is we all know that this is an important decision being made within the City.
386 It involves a lot of people's lives; it involves years of work and effort on the part of many people
387 involved in government. And we need to be sure that our decision is as sound a decision as we
388 can make. The only problem is that all this information came in so late to us. Not that you didn't
389 work very hard; you – did. And, again, I echo Councilman Brown, thank you for your candor in
390 the meetings, and thank you for all the information that you – provided for us. But we have a
391 heavy responsibility to the citizens. Our job is to do the very best we can, and you really can't
392 take a document, of this length, and be able to feel comfortable with it when you have such a
393 short period of time. Now, I just wanted to echo what the other Council individuals were saying.
394 Thank you.

395

396 **MAYOR PRO TEM REESE**

397 Mr. Signorelli.

398

399 **MICHAEL SIGNORELLI**

400 Let me just say, if I may, that everybody on the City Council, staff, and everybody in the City
401 Hall, as the Metropolitan Police Department, everyone, has done an extraordinary job trying to
402 expedite this thing. I mean, I'm just proud of my City and everybody here, and I totally
403 understand where you're coming from, and I – couldn't disagree. And I just wanted to say that.

404

405 **MAYOR PRO TEM REESE**

406 Thank you very much, Sir. Are there any other comments by the Council members? Then my
407 motion is going to be to hold this in abeyance until our next meeting, October the 18th, please.

408

409 **UNIDENTIFIED MALE SPEAKER**

410 Can somebody else speak?

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411 **MAYOR PRO TEM REESE**

412 Not on this item, thank you. We're going to hold it in abeyance; it's not a – discussion item. It's
413 not a public hearing item. Please cast your vote. You've heard the motion. Cast your vote, please.

414

415 **UNIDENTIFIED MALE SPEAKER**

416 It's not a public item.

417

418 **MAYOR PRO TEM REESE**

419 Please post. We're voting again. Please post. Motion carries. (**Motion carried unanimously**
420 **with GOODMAND and WOLFSON abstaining**) And we'll look forward to seeing you in a –
421 couple of weeks.

422

423 **STEVE CARUSO**

424 Thank you.

425

426 **MICHAEL SIGNORELLI**

427 Thank you very much.

428

429 **BRAD JERBIC**

430 Mr. Mayor Pro Tem, if we can – instruct the Clerk, I believe that two weeks from now is also a
431 line item that would ask for a rehearing of the revocation of the license for the Crazy Horse Too.
432 If we could put this on before that hearing, I don't know that it would render it mute. It seems
433 likely it would, if there was a license granted. So, that would be my request.

434

435 **MAYOR PRO TEM REESE**

436 Roni, you have a problem with that?

437

438 **BARBARA JO RONEBUS**

439 No problem. Thank you.

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440 **STEVE CARUSO**

441 Thank you.

442

443 **MAYOR PRO TEM REESE**

444 Thank you.

445

446 **STEVE CARUSO**

447 Thank you, Mayor and Council.

448

449 **MAYOR PRO TEM REESE**

450 Just – for those in the audience, this is not a public hearing item today and we are going to hold

451 this in abeyance and we'll see what we'll do in the two weeks. But it's not a public hearing item.

452

453 **MIKE SIGNORELLI**

454 Thank you, Council.

455

456 **STEVE CARUSO**

457 Thank you, Mayor Pro Tem.

458

459

460 **(END OF DISCUSSION)**

461 /lc;ac